

# TAZEWELL REPUBLICAN

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—BY—  
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Editor and Proprietor.

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THURSDAY, APRIL 1, 1909.

## THE POLL TAX DECISION.

After many months of delay the Supreme Court of Appeals of Virginia has decided the question of the meaning that must be given to the words "personally pay," as applied to the poll tax qualification for voting. The opinion of the court, by the use of many words, reaches the very reasonable conclusion that these words, "personally pay," do not mean that the individual voter is required to pay his poll taxes in physical person to qualify him for voting. The court declares that he has a right to pay such taxes in the ordinary business way, by sending the money, a check, or a postoffice money order through the mails or by an agent to the treasurer, but that such payment must come from his own personal means.

This opinion of the court is based upon the supposed intention of the framers of the State Constitution, rather than upon the lack of authority or legitimate power of a convention to write in the organic law a provision that would not only be obnoxious to common business transactions but contravene the fundamental rights of citizens.

The Democratic press of the State is giving its hearty approval to the ruling of the Court of Appeals. This approval is somewhat ludicrous in view of the fact that the court, in its opinion, treats suffrage as a right and not as a privilege. Herebefore the Democratic papers have contended that suffrage was a privilege for which all good citizens should be willing to pay the sum of one dollar and a half per head per year. This contention was made in support of the iniquitous provision of the poll tax qualification for voting. The court speaking of the meaning of the words "personally pay," says:

"Does the use of these words in the Constitution, where the right of franchise is dealt with, mean that in order to entitle a citizen of the State to vote he must in person, in bodily presence, pay to the treasurer of his city or county the poll taxes required of a voter as a condition precedent to his right to register and vote, or do these words mean only that the tax must be paid by the voter out of his own estate or means, and not by another out of that other's estate or means?"

The court held that the intention of the makers of the Constitution was to require voters to pay their poll taxes with their own means, and to prevent politicians from bribing voters by paying their taxes for them. The court, speaking of Article II of the Constitution, says:

"It was unquestionably the purpose of that article to exclude from the electorate of the State that class of citizens who are not entitled to have the right of franchise by reason of not having sufficient evidence of permanent common interest with, and attachment to, the community." (Sec. 6, Bill of Rights.)

The court holds that it was the intention of the Constitutional Convention to exclude from the class of citizens declared in the Bill of Rights to be entitled to the right of franchise, only those registered voters who permit others to pay their poll taxes for them for corrupt and illegal purposes. It also holds that it was not the intention of "that able body of men who framed the Constitution to make it even possible that hundreds and thousands of the best citizens of our State may be deprived of their right of franchise. . . . From such a lamentable result in thousands of instances there would be no escape, if the word 'personally' used in the Constitution be restricted to 'in propria persona.'"

So, we have the Supreme Court of the State holding that a Constitutional Convention had authority to treat a fundamental right as a privilege, and extend that privilege to only those who, according to their view, have "sufficient common interest, etc." The action of the Bill of Rights quoted from reads as follows:

"Sec. 6. That all elections ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed, or deprived of, or

damaged in their property for public uses, without their own consent, or that of their representatives duly elected, or bound by any law to which they have not, in like manner, assented for the public good."

This section of the Bill of Rights the Court of Appeals finds attaches suffrage as a right to a class of citizens. What class? All men "having sufficient evidence of permanent common interest with, and attachment to, the community." The late Constitutional Convention assumed authority to say that only such men in Virginia as were able and willing to pay for the privilege should exercise the sacred fundamental right of suffrage bestowed on citizens by the Bill of Rights. This convention, in the making of the new suffrage laws, violated every principle of the section of the Bill of Rights quoted above.

How can suffrage be treated and acknowledged as a fundamental right acquired by and attached to citizenship, if it can be lightly transformed by a usurping legislative body into a privilege—to be sold to and exercised by a preferred class of citizens? This transformation has been undertaken by the late Constitutional Convention through the use of an arbitrary and partisan misinterpretation of what the Bill of Rights declares as evidence of good citizenship.

By the making of the prepayment of a poll tax a prerequisite to voting those who are disfranchised by the provision are put in a position to be taxed without their consent, the prepayment also being a requisite to registering. This is clearly another violation of the Bill of Rights. The disfranchised citizens are also forced to obey laws to which they have not assented for the public good, which is still another violation of the Bill of Rights. This outrageous infringement of the fundamental rights of citizens was emphasized by the proclamation of the Constitution which arbitrarily deprived them of their most valuable right, the right to vote, instead of securing their consent thereto by submission to the people for ratification or rejection.

The Court of Appeals very glibly quotes the Bill of Rights to show that it was not the intention of the framers of the Constitution to deprive thousands of citizens of the franchise by requiring them to pay their poll taxes in physical person. In arriving at this conclusion they were greatly aided by the argument of the Attorney General of Virginia, Wm. A. Anderson, who was a member of the Constitutional Convention and helped to frame the suffrage laws. The Court adopted his views as to the intention of the framers as to what construction should be put upon the words "personally pay." And the court asserts that the purpose of the clause was to prevent bribery. Suppose the court had pursued that question of bribery a little further and investigated more closely into the real purposes of the poll tax qualification for voting? How would it have construed that part of Sec. 22 of the Constitution which says: "The collection of the State poll tax assessed against any one shall not be enforced by legal process until the same has become three years past due." Here is a premium, a bribe offered to voters to disqualify or disfranchise themselves by neglecting to pay their poll taxes. Can there be any doubt of the vicious intention of this clause? Is it not intended to reduce the electorate by having men avail themselves of what is pretended to be a benevolent stay law, but what is in reality a certain vote killer?

The pretense has been made that the suffrage laws of the new Constitution were framed for the purpose of purifying the electorate. This is not true. The chief object was to so fix them as to make the State permanently Democratic. That is why the drastic registration laws were supplemented by complex provisions making the poll tax qualification. Attorney General Anderson knew this. Why didn't he tell it to the Court of Appeals? A short time ago there was considerable agitation among the Democrats and in the Democratic press for the repeal of the poll tax qualification for voting. Attorney General Anderson was among the first to protest against its repeal, assigning as a reason therefor that its repeal would cause the Democrats to lose the State. That voiced the purpose of the poll tax qualification for voting and the intention of the partisan politicians who made the Constitution.

## Goes Out in Glory.

Again those newspapers which have victoriously abused and derided Mr. Roosevelt have pressed against their reluctant lips overflowing cups of wormwood and gall. The ex-president yesterday left the shores of this country amid one of the most remarkable demonstrations of popular affection and respect ever witnessed in the world. His brief journey from his home at Oyster Bay to the steamship wharf was through

masses of cheering people. The reporter who asked whether Mr. Roosevelt will be our next president blurted out a thought already formed in many minds.

No president since Washington has been the object of vilification more venomous, bitter or intense than that which has been showered on Roosevelt. All the resources of the brightest perverted intellects and the most impish ingenuity have been exhausted in efforts to injure, belittle and wound him. Notwithstanding it all, the masses of the people have retained unflinching their confidence in the man they chose and accepted as leader. After all the battering, after all his own blunders and faults of taste and discretion, Mr. Roosevelt goes out of office more popular even than he went in as president four years ago. His enemies and detractors are few and, so far as practical results and effects go, are very feeble. They are forced to the miserable fate of standing by watching the man they hate so horribly gain strength and popularity and accompanied wherever he goes by the plaudits of the public; the sneers and the accusations directed against him unlike unheeded blown back by the public voice to sting the faces of those who emit them.—Richmond News Leader.

We commend the above well merited and beautiful tribute to Mr. Roosevelt to the careful and prayerful consideration of the Norfolk Virginian-Pilot. We hope our esteemed Norfolk contemporary will cease to make itself ridiculous by continued flings at the greatest and most popular living American citizen.

## Beware of Ointments for Catarrh that Contain Mercury.

As mercury will surely destroy the sense of sight and hearing, and thus make a lame beggar, when entering it through the mucous surfaces. Such articles should never be used except on prescriptions from reputable physicians, as the damage they will do is ten fold to the good you can possibly derive from them. Hall's Catarrh Cure, containing no mercury, and is taken internally, acting directly upon the blood and mucous surfaces of the system. In buying Hall's Catarrh Cure be sure you get the genuine. It is taken internally and made in Toledo, Ohio, by F. J. Cheney & Co. Testimonials free.

Sold by druggists. Price, 75c per bottle. Take Hall's Family Pills for constipation.

## Alleged Mediocrity of the Party.

Richmond Journal.  
The Norfolk Ledger-Dispatch is not surprised that a row has started in Democratic ranks in the House of Representatives, and is inclined to place much of the blame on Representative Clark, of Missouri, whose fitness for the responsible position of leader is seriously questioned.

The Ledger-Dispatch says of Mr. Clark:  
"He is a man of long service and wide acquaintance in Congress; is aggressive and a sledge-hammer kind of a debater, but he is not a man big enough to lead a party in Congress, and especially when a large portion of that party is made up of mediocre men who are more partisan than patriotic, and concern themselves more in destruction than construction. There has never been any very great degree of harmony between the Democrats of the North and South, not even between the 'ice-wagon driver' of New York and the 'longshoreman' of Galveston; there was not much between the men like Lawyer Bartlett, of New York city, and Champ Clark from the wool-hat district of Missouri. It takes greater caliber than men like Clark to weld these incongruous party representatives, and his failure is not unnatural."

Our Norfolk contemporary, perhaps unintentionally, leaves the impression that there are more mediocre men on the Democratic side of the House than on the Republican side. If that is really a fact (we are far from admitting that it is), then it is not illogical that they should choose a mediocre man as their party leader.

Still, admitting, for argument's sake, the mediocrity of both leader and followers, it cannot be denied that the choice of Clark was by majority vote in caucus; and if the Democratic principle of majority rule is to be maintained, the score or more of bolters in the ranks cannot defend their rebellion. Majority rule means also minority acquiescence.

In the matter of the rules fight, which resulted so disastrously to the Democrats through the desertion of Democrats, the issue between the organization Republicans and the Democrats was so clearly an issue of principle in which the right lay with the Democrats that those who deserted cannot fall back on the excuse of Clark's mediocrity or the mediocrity of the majority of Democrats. It might have been a mere accident that the Democrats were right, but the essential thing is, they were right. The bolters quit a good fight, and they cannot excuse themselves because they have no respect for the brain-power of the majority of their associates. It was the Fact, not the Source, that constituted the issue.

## Words to Freeze the Soul

"Your son has Consumption. His case is hopeless." These appalling words were spoken to Geo. E. Blevens, a leading merchant of Springfield, N. C., by two expert doctors—one a lung specialist. Then was shown the wonderful power of Dr. King's New Discovery. After three weeks use, writes Mr. Blevens, "he was as well as ever. I would not take all the money in the world for what it did for my boy." Infallible for coughs and colds, its safest, surest cure of desperate lung diseases on earth. 50c and \$1.00. Jno. E. Jackson. Guarantee satisfaction. Trial bottle free.

## Sayings of Mrs. Solomon.

Being the confessions of the seven hundredth wife as translated by Helen Rowland:

"Behold, my daughter, there was a woman of Babylon and she was a wonder. For she managed her husband with one hand and her eyes shut."

"And lo! on a time, when her spouse came home at night he was startled by a light that streamed forth from his wife's room. And he groaned, for the woman stood before her mirror taking off her puffs. And her mouth was full of hairpins."

"And he murmured gently, 'My beloved, why didst thou sit up for me?'"

"But the woman answered saying: 'Nay, I have not sat up for thee; for lo! I have just gotten in myself.'"

"And he grasped the doorknob for support. For this was a jolt! Yet thereafter he remained home every night."

"Verily, verily, a man is not like unto a patent belt which can be pinned down; neither is he like unto a carpet which can be nailed to the floor. Yet, as a little moisture on a postage stamp, so will a little curiosity make him stick—even closer than a brother."

"Yea, she that listeneth for her husband's latch-key, shall be fed with fairy tales, but she that carryeth her own latch-key knoweth a good trick."

"Lo! a bride shall lie awake at night hearing strange noises; but it shall come to pass after many years she shall hand her husband his hat and cane with a glad heart. Yea, she shall hunt for his cuff links and get him into his dress suit with great cheerfulness, saying: 'Go thy ways, but when thou returnest do not awaken me.' And she shall sleep peacefully."

"For, in time, even a midnight row become tame and lacketh excitement and home-made melodrama loseth its flavor. Moreover, a wise woman knoweth that no man existeth who is worth a good night's rest. Selah!"

## Sweet Over Niagara

This terrible calamity often happens because a careless boatman ignores the river's warnings—growing ripples and faster current—Nature's warnings are kind. That dull pain or ache in the back warns you the kidneys need attention if you would escape fatal maladies—dropsy, diabetes or Bright's disease. Take Electric Bitters at once and see backache fly and all your best feelings return. "After long suffering from weak kidneys and lame back, one \$1.00 bottle wholly cured me," writes J. R. Blankenship, of Belk, Tenn. Only 50c at Jackson's drug store.

## Much in Little.

Secretary of War Dickinson will start from Washington about April 13th for his visit to the Isthmus of Panama to inform himself as to work and conditions in the Canal Zone.

Mrs. Russell Sage is said to pay the heaviest tax of any person in the city of New York. The tax books show that twenty New York women are assessed for upwards of \$17,000,000, and more than a score of others are required to pay from \$100,000 to \$250,000.

An eagle has been shot by a keeper on the Tiberton estate, Herefordshire, England. It measures seven feet ten inches across the wings and is two feet ten inches in length. It is of a light brown color, apparently two years old and is believed to be of the white eagle species.

In considering the speed of a steamship it must be remembered that a knot or nautical mile is a very different thing from a land mile. A mile is 5,280 feet, while a knot is 6,080 and a fraction. Therefore, when a vessel makes 23.05 knots and hour, she passes over very nearly 27 land miles.

The United States has taken the lead from the start in the sale of all kinds of electrical supplies in Japan, of which there can be no doubt of its ability to maintain, though in the course of time Japan will certainly make strenuous efforts, as in any other forms of manufacturing, to produce its own electrical machinery.

Tennessee can boast of but two women lawyers. One a Presbyterian and the other a Jewess. Of the two, Miss Marion Griffin was the first to be admitted to the bar, but Miss Wolfe, who was admitted only two days later, was the first to appear before the Court of Civil Appeals and argue a case. Miss Wolfe argued about an hour, and is said to have held the attention of the five judges much more closely than is customary.

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## Factional Fight Typical.

New York American.

According to the Atlanta Constitution, the Georgia congressional delegation—all Democratic—is split to fragments as a result of the contest over the speakership and the rules of the House of Representatives.

Six of the 11 Congressmen are denounced as traitors to the Democratic organization by the other five, and three of the five have threatened to take the stump in the next campaign in Georgia to oppose the re-election of the six who followed Cannon and Dalsell and Fitzgerald against Champ Clark and the caucus of the party. The six are defiant and hurl back counter charges of previous bolting by the present regulars, and these erstwhile brethren in Democracy "do not speak as they pass each other by."

And so the "Grand Old Democratic Party" moves on to 1912!

How unfortunate a spectacle this would make if there were a Democratic party! But the Democratic party is really a myth. It does not exist save in tradition and imagination. It is only a name—merely a shell.

Pick the alleged Democratic party up on any important issue like this which divides the Georgians, and it falls to pieces, as it did last week.

There is no possible coherency in the present Democracy. There is no consistency. Therefore there can be no policies, no principles, no success. State a principle or a policy in the ranks, and faction grows its dissent and registers its fatal division.

## "I'd Rather Die, Doctor,

than have my feet cut off," said M. L. Bingham, of Princeville, Ill. "but you'll die from gangrene (which had eaten away eight toes) if you don't," said all doctors. Instead—he used Bucklen's Arnica Salve till wholly cured. Its cures of eczema, fever sores, boils, burns and piles astound the world. 25c at Jno. E. Jackson's.

## Cooking at Sea.

With a population of more than 4,000 to be cooked for and fed, three, four and five times a day for a week, and with no butcher, bakery and grocery "around the corner," the culinary arrangements of a modern steamship must, of necessity, be most complete.

Great cold storage rooms for perishable provisions must be provided as well as the appliances for cooking and preparing the raw materials. The kitchen and provision rooms of the "George Washington," the newest and largest vessel afloat, are of enormous proportions. The kitchens of the first and second cabins are near the dining rooms of their respective classes. In them are great steaming stock pots, ranges, steam tables, and all modern machinery which can in any way aid the chefs in their work.

Many of these devices such as egg beaters, potato parers, mincing machines, automatic egg boilers, coffee mills and dishwashing machines are worked by electricity.

In addition to the kitchens there are on board ice houses for meats, bakeries, a confectionary room and scullery rooms. In all, the kitchen and provision rooms occupy a space of 47,000 cubic feet.

The cold storage and provision room is so arranged that their contents may be readily sent into the kitchens by electrically operated dumb-waiters.

The greatest attention was given every detail of the provisioning and kitchen accommodations in order that the great number of passengers and crews might be properly and promptly fed.

## Want No Competition.

Norfolk, Va., March 30.—The liquor dealers of Norfolk united and organized to prevent North Carolina liquor dealers who have been driven out by State-wide prohibition there from opening up here and thus dividing profits with local interests in the increased "jug trade" business that Norfolk now has through North Carolina and a large part of Virginia, won their first battle when the court denied an application for license for Halifax, N. C., whiskey interests.

State-wide prohibition and local option in Virginia, according to local business men, has doubled the business of liquor dealers in Virginia cities and towns that are still "wet."

The action of the court was on based the ground that there were already enough licensees.

## Up Before the Bar

N. H. Brown, an attorney of Pittsfield, Vt., writes: "We have used Dr. King's New Life Pills for years and find them such a good family medicine we wouldn't be without them." For chills, constipation, biliousness or sick headache they work wonders. 25c at Jackson's drug store.

## TARIFF BILL FIRST.

President Taft Will Discuss Nothing Else—Pass the Measure Then Talk About Patronage.

Washington, March 29.—"Pass the tariff bill; then we'll talk about patronage." That's what President Taft is telling members of Congress. It's hardly likely he is putting the ultimatum into such blunt phrasology, but Senators and Representatives have no difficulty in understanding what he means.

A Senator or Representative goes to the White House eager to know "what about" a postmaster, or collector of customs, or interest revenue in his bailiwick.

The President's first inquiry is whether the public business is suffering by reason of the incumbent's remaining in office. The Senator or Representative almost always has to admit that it is not. Mr. Taft then points out that a number of very vital things are demanding his attention, and that Congress; among them he mentions the tariff and suggests that there is an instance where business will suffer by delay. Inquiry is politely made if the Senator or Representative doesn't think the filing of this particular office can wait until some of these more vital things are off hands.

It is all very gently and skillfully put, of course, and there is not in the President's manner the faintest hint of pressure or coercion, but when the Senator or Representative leaves the White House he is impressed with the conviction that if he wants to pass out any pie to his faithful henchmen it behooves him to place no obstacles in the way of the tariff bill.

The President is convinced that the greatest service he can render the country at this time is to do all in his power to secure proper and early revision of the tariff, and in delaying appointments until the tariff is off hands he is playing his strongest possible card; and he is playing it like a diplomat and a waster politician.

Subscribe for THE REPUBLICAN.

## NOTICE!

All persons are warned against obstructing any of the roads of this county, or any ditch constructed for the drainage of any road, by throwing therein any waste material of any kind whatsoever.

By order of the Board of Supervisors.  
S. M. GRAHAM, Clerk.

Sept. 10-1f

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## Notice to Delinquents.

Recently we have been sending out statements to a number of delinquent subscribers, and we will continue to do this until all are notified of the standing of their account. Some have responded to these statements while others have failed or refused to do so. As rapidly as possible we are finding out the persistent delinquents and are removing them from our list. Their accounts will be collected by law when possible. Some have been made angry by our effort to get what was due us. This disposition is both ungenerous and unjust.

## NOTICE.

The overseer of the poor for each Magisterial District of Tazewell county is provided with a contingent fund of fifty dollars for each year, which is under control of the overseer of the poor and the member of the board, of the respective districts, to be used for cases of emergency. After this emergency fund has been expended by any overseer of the poor, for any one year, he has no authority, under the law, to bind the county for any further amount under any circumstances. All further allowances must be made by the Board of Supervisors.

Published by order of the Board of Supervisors of Tazewell county.

Tests:  
jan28tf S. M. Graham, Clerk.

## Trespass Notice.

All persons are hereby notified not to trespass on the lands in my possession, by hunting, passing over the same, or cutting timber on same. Said land is situated on the north fork of Clinch river adjoining the lands of Henry Peck, G. W. Yost, Henry Melvin and Bud Repass.

12-10-08 G. T. GERALD.

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